UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE FACEBOOK BIOMETRIC INFORMATION PRIVACY LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Master Docket No.: 3:15-CV-03747-JD

[PROPOSED] ORDER RE OMNIBUS ADMINISTRATIVE MOTION TO SEAL

Hon. James Donato

[PROPOSED] ORDER

Having considered Facebook's Omnibus Administrative Motion to Seal, the Declaration of John Nadolenco, and all other matters presented, and having determined that compelling reasons or good cause – as specified below – exists for sealing this information, *see Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1186-87 (9th Cir. 2006), **IT IS HEREBY ORDERED THAT**:

The Omnibus Administrative Motion to File Under Seal is **GRANTED** to the following extent. The documents listed below shall remain under seal:

FACEBOOK'S MOTION FOR SUMMARY JUDGMENT

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
1	Exhibit 3 to the Declaration of John Nadolenco in Support of Facebook's Motion for Summary Judgment ("Nadolenco MSJ Declaration") (Expert Report of Matthew Turk, Ph. D.)	Entire document	The Expert Report of Matthew Turk, Ph. D. contains an analysis of Facebook source code and other internal documents relating to the details of Facebook's network architecture and its facial recognition technology, the underlying source of which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. *Facebook Biometric* Dkt. 257-9 ("Yadan Decl.") ¶ 34; Nadolenco Sealing Decl. ¶ 19.
2	Exhibit 4 to the Nadolenco MSJ Declaration (Rebuttal Expert Report of Matthew Turk, Ph. D.)	Entire document	The Rebuttal Expert Report of Matthew Turk, Ph. D. contains an analysis of Facebook source code and other internal documents relating to the details of Facebook's network architecture and its facial recognition technology, the underlying source of which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 19.
3	Exhibit 5 to the Nadolenco MSJ Declaration (excerpts from the October 18, 2016 Deposition Transcript of Yaniv Taigman)	Pages 134:8-15; 134:8-23; 135:3-12; 135:15-21; 136:1-12; 136:16-20; 138:1-140:25; 141:4-25; 149:1-153:25; 159:1-167:25; 171:14-172:25; 177:1-178:25; 237:1-25; 239:1-240:25; 241:8-20; 281:2-25; 340:3-341:25; 366:3-25; 367:4-25; 368:4-25 or portions thereof	Exhibit 5 to the Nadolenco MSJ Declaration contains excerpts from the October 18, 2016 deposition testimony of Facebook's employee Yaniv Taigman. Mr. Taigman testified in detail about Facebook's network architecture, how Facebook's proprietary facial-recognition technology works, and the way in which Facebook's computer systems interact with and support Facebook's facial recognition technology. These portions of Mr. Taigman's deposition have been designated by Facebook as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 16-17.
4	Exhibit 6 to Nadolenco MSJ Decl. (excerpts from the October 26, 2017 Deposition Transcript of Omry Yadan)	Pages 51:9-25; 156:1-157:25; or portions thereof	Exhibit 6 to the Nadolenco MSJ Declaration contains excerpts from the October 26, 2017 deposition testimony of

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook's employee Omry Yadan. Mr. Yadan testified in detail about Facebook's network architecture, how Facebook's proprietary facial-recognition technology works, and the way in which Facebook's computer systems interact with and support Facebook's facial recognition technology. These portions of Mr. Yadan's deposition have been designated by Facebook as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 16-17.
5	Exhibit 7 to the Nadolenco MSJ Declaration (Expert Report of Jeffrey S. Dunn)	Entire document	The Expert Report of Jeffrey S. Dunn contains an analysis of Facebook's network architecture and its facial recognition technology, the underlying sources for which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by

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No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 19.
6	Exhibit 8 to the Nadolenco MSJ Declaration (excerpts from the February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Entire document	Exhibit 8 to the Nadolenco Declaration contains excerpts from the February 23, 2018 deposition testimony of Dr. Atif Hashmi. Dr. Hashmi testified in detail about his analysis of Facebook source code relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition

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No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ __.
7	Exhibit 9 to the Nadolenco MSJ Declaration (Expert Report of Dr. Atif Hashmi)	Entire document	The Expert Report of Dr. Atif Hashmi contains an analysis of Facebook source code relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 19.
8	Exhibit 10 to the Nadolenco MSJ Declaration (January 25, 2018 Declaration of Omry Yadan)	Pages 1:14-3:3; or portions thereof	Portions of paragraphs 4-12 of the January 25, 2018 Declaration of Omry Yadan contain information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 9.
9	Exhibit 11 to Nadolenco MSJ Declaration (excerpts from the February 26, 2018 Deposition	Entire document	Exhibit 11 to the Nadolenco Declaration contains excerpts from the February 26, 2018

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Transcript of Jeffrey S. Dunn)		deposition transcript of Jeffrey S. Dunn. Mr. Dunn testified in detail regarding his analysis of Facebook's network architecture and its facial recognition technology, the underlying sources for which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 20.
10	Exhibit 16 to Nadolenco MSJ Declaration (January 25, 2018 Declaration of Benjamin Strahs)	Page 1:19-26; Exhibit 1; or portions thereof	The designated portion of the Strahs Declaration ("Strahs Decl.") should be sealed because it references and discusses plaintiffs' privacy settings. Facebook considers this information about its users to be non-public and takes steps to

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			prevent the information from becoming publicly available or available to people outside of Facebook. Yadan Decl. ¶ 29; Strahs Decl. ¶ 5; Nadolenco Sealing Decl. ¶ 16-17.
11	Exhibit 12 to the March 15, 2018 Declaration of Robert Sherman ("Sherman Declaration") (FBBIPA_00040763)	Entire document	Exhibit 12 to the Sherman Declaration contains detailed information regarding Facebook's drafts of and notes for confidential communications with a government entity concerning its facial-recognition technology, which are maintained as confidential by both sides to the communication. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
12	Exhibit 14 to the Sherman Declaration (FBBIPA_00034074)	Entire document	Exhibit 14 to the Sherman Declaration discusses confidential details about Facebook's Tag Suggestions feature that are not publicly known. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and implements its proprietary facial-recognition technology.

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Yadan Decl. ¶ 34; Sherman Decl. ¶ 20; Nadolenco Sealing Decl. ¶¶ 11-12.
13	Exhibit 15 to the Sherman Declaration (FBBIPA_00037804)	Entire document	Exhibit 15 to the Sherman Declaration discusses confidential details about Facebook's Tag Suggestions feature that are not publicly known. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12. The document also reflects communications with government entities that occurred under a mutual understanding that they would be kept confidential. Sherman Decl. ¶ 20.
14	Exhibit 2 to the March 14, 2018 Declaration of Yaniv Taigman ("Taigman Declaration") (FBBIPA_0005330)	Entire document	Exhibit 2 to the Taigman Declaration contains confidential details about Facebook's Tag Suggestions feature that are not publicly known. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and implements its proprietary facial-recognition technology.

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Taigman Declaration ¶ 3; Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 16-17.
15	Exhibit 1 to the March 13, 2018 Declaration of Dan Barak ("Barak Declaration") (Dkt. No. 299-40) (FBBIPA_00021843)	Entire document	Exhibit 1 to the Barak Declaration contains confidential details about Facebook's Tag Suggestions feature that are not publicly known. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and implements its proprietary facial-recognition technology. Barak Declaration ¶ 3; Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 16-17.
16	Facebook's Memorandum of Law in Support of Motion for Summary Judgment.	Pages 3:26-4:15; 4:19-22; 4:25-28; 5:1-8:10; 9:7-9; 13:18-23; 17:10-13; 18:8-22; 19:17-21; 20:7-9; 21:12-23; 22:1-22; 22:25-28; 23:4-6; 23:9-24:7; or portions thereof	The designated portions of Facebook's Memorandum in Support of Motion for Summary Judgment reference or discuss the information contained in the expert reports, confidential deposition testimony of Taigman, Yadan, Dunn, and Strahs, and exhibits Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Sherman Decl. ¶ 20; Taigman Decl. ¶ 3; Strahs Decl. ¶ 5; Yadan Decl. ¶¶ 29, 34;

Facebook's Motion for Summary Judgment (Dkt. 299)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Nadolenco Sealing Decl. ¶¶ 24-25.

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
17	Plaintiffs' Opposition to Facebook's Motion for Summary Judgment	Pages 2:8; 3:26-28; 6:21-25; 7:1; 7:4-6; 7:10; 7:12; 8:6-8; 8:22-23; 9:1-2; 10:26-27; 15:18-21; 18:10-23; 18:26-28; 19:5-9; 19:20-28; 20:13-16; 20:22-23; 20:27-21:6; 21:9-21; 21:25-28; 22:2-24; 22:27-28; 23:1-6; 23:15-17; 23:19-21; 23:24; 23:26-28; 24:1-4; or portions thereof	The designated portions of Plaintiffs' Opposition to Facebook's Motion for Summary Judgment reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony of Taigman, Hashmi, Turk, Yadan, Dunn that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.
18	Exhibit 1 to the Declaration of Shawn A. Williams in Support of Plaintiffs' Opposition to Facebook's Motion for Summary Judgment ("Williams MSJ Opp. Decl.") (FBBIPA_00009283)	Entire document	Exhibit 1 to the Williams MSJ Opp. Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes

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			Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
19	Exhibit 3 to the Williams MSJ Opp. Decl. (FBBIPA_00009318)	Entire document	Exhibit 3 to the Williams MSJ Opp. Declaration discusses confidential details about Facebook's Tag Suggestions feature that are not publicly known. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
20	Exhibit 8 to the Williams MSJ Opp. Decl. (FBBIPA_00008127)	Entire document	Exhibit 8 to the Williams MSJ Opp. Declaration references proprietary and confidential

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			details about Facebook's image processing system. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
21	Exhibit 14 to the Williams MSJ Opp. Decl. (October 18, 2016 Deposition Transcript of Yaniv Taigman)	Pages 134:8-15; 134:18-22; 246:3-10; 246:13-247:6; 247:8-14; 247:16-25 to the excerpts submitted by Facebook; and non-cited pages in their entirety	*See* Exhibit 5 to the Nadolenco MSJ Declaration (Ref. No. 3). Exhibit 14 to the Williams MSJ Opp. Declaration includes a complete copy of Mr. Taigman's deposition transcript, of which 3 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶¶ 16-17.
22	Exhibit 15 to the Williams MSJ Opp. Decl. (February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Pages 123, 148, 178-79, and 224 to the excerpts submitted by Facebook; and non-	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6). Exhibit 15 to the Williams MSJ Opp. Declaration includes a

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No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
		cited pages in their entirety	complete copy of Mr. Taigman's deposition transcript, of which 5 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"); Nadolenco Sealing Decl. ¶¶ 20.
23	Exhibit 16 to the Williams MSJ Opp. Decl. (FBBIPA_00005371)	Entire document	Exhibit 16 to the Williams MSJ Opp. Declaration discusses how Facebook's proprietary facial-recognition technology works and the way in which Facebook's computer systems interact with and support Facebook's facial-recognition technology. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
24	Exhibit 19 to the Williams MSJ Opp. Decl. (Facebook, Inc.'s Amended and Supplemental Responses to Plaintiffs' Second	Pages 7:1-2, 19-21; or portions thereof	Exhibit 19 to the Williams MSJ Opp. Declaration contains confidential information related to Facebook's technological

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Set of Interrogatories, dated October 5, 2017)		capabilities with regard to IP address information for photographs uploaded to Facebook. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems. Exhibit 19 further references IP address information associated with Patel's, Licata's, and Pezen's Facebook user activity. Facebook considers this information about its users to be non-public and takes steps to prevent the information from becoming publicly available or available to people outside of Facebook. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 23.
25	Exhibit 24 to the Williams MSJ Opp. Decl. (FBBIPA_00000328)	Entire document	Exhibit 24 to the Williams MSJ Opp. Decl. contains information that identifies plaintiff Patel's personal email and home telephone number. Further, subsequent pages of the document reference IP address information and other information associated with Patel's Facebook user activity. Facebook considers this information about its users to be non-public and takes steps to prevent the information from becoming publicly available or available to people outside of

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook. Yadan Decl. ¶¶ 28-29; *Facebook Biometric* Dkt. 285-4 ("2d Yadan Decl.") ¶¶ 13-14; Nadolenco Sealing Decl. ¶ 13.
26	Exhibit 25 to the Williams MSJ Opp. Decl. (FBBIPA_00000043)	Entire document	Exhibit 25 to the Williams MSJ Opp. Decl. contains information that identifies plaintiff Pezen's personal email and home telephone number. Further, subsequent pages of the document reference IP address information and other information associated with Pezen's Facebook user activity. Facebook considers this information about its users to be non-public and takes steps to prevent the information from becoming publicly available or available to people outside of Facebook. Yadan Decl. ¶¶ 28-29; *Facebook Biometric* Dkt. 285-4 ("2d Yadan Decl.") ¶¶ 13-14; Nadolenco Sealing Decl. ¶ 13.
27	Exhibit 26 to the Williams MSJ Opp. Decl. (FBBIPA_00000295)	Entire document	Exhibit 26 to the Williams MSJ Opp. Decl. contains information that identifies plaintiff Licata's personal email and home telephone number. Further, subsequent pages of the document reference IP address information and other information associated with Licata's Facebook user activity. Facebook considers this

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			information about its users to be non-public and takes steps to prevent the information from becoming publicly available or available to people outside of Facebook. Yadan Decl. ¶¶ 28-29; *Facebook Biometric* Dkt. 285-4 ("2d Yadan Decl.") ¶¶ 13-14; Nadolenco Sealing Decl. ¶ 13.
28	Exhibit 27 to the Williams MSJ Opp. Decl. (Expert Rebuttal Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 4 to the Nadolenco MSJ Declaration (Ref. No. 2).
29	Exhibit 28 to the Williams MSJ Opp. Decl. (February 28, 2018 Deposition Transcript of Matthew Turk)	Pages 112-16, 131-32, and 322 to the excerpts submitted by Facebook; and non-cited pages in their entirety	Exhibit 28 to the Williams MSJ Opp. Declaration should be sealed because Dr. Turk testified in detail regarding his analysis of Facebook source code and other internal documents relating to the details of Facebook's network architecture and its facial recognition technology, the underlying source of which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network

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No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 20. Exhibit 28 to the Williams. Declaration includes a complete copy of Dr. Turk's deposition transcript, of which 9 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 21.
30	Exhibit 30 to the Williams MSJ Opp. Decl. (Expert Report of Jeffrey S. Dunn)	Entire document	*See* Exhibit 7 to the Nadolenco MSJ Declaration (Ref. No. 5).
31	Exhibit 31 to the Williams MSJ Opp. Decl. (Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
32	Exhibit 32 to the Williams MSJ Opp. Decl. (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
33	Exhibit 33 to the Williams MSJ Opp. Decl. (October 26, 2017	Pages 126:9-13; 126:17-23; 126:25;	*See* Exhibit 6 to the Nadolenco MSJ Declaration (Ref. No. 4).

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Deposition Transcript of Omry Yadan)	127:5-11; 127:13; 127:16-20; 127:22-128:9; 128:12-17; 128:19-129:3; 129:6-14; 129:16-25 to the excerpts submitted by Facebook; and non-cited pages in their entirety	Exhibit 33 to the Williams MSJ Opp. Declaration includes a complete copy of Mr. Yadan's deposition transcript, of which 4 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 18.
34	Exhibit 34 to the Williams MSJ Opp. Decl. (February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Page 160 to the excerpts submitted by Facebook; and non-cited pages in their entirety	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9). Exhibit 34 to the Williams MSJ Opp. Declaration includes a complete copy of Mr. Taigman's deposition transcript, of which 1 page is cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
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			underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 19.
35	Exhibit 35 to the Williams MSJ Opp. Decl. (FBBIPA_00009590)	Entire document	Exhibit 35 to the Williams MSJ Opp. Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
36	Exhibit 36 to the Williams MSJ Opp. Decl. (FBBIPA_00008876)	Entire document	Exhibit 36 to the Williams MSJ Opp. Declaration contains confidential information and discussions relating to Facebook's product and marketing strategies. Public

Plaintiffs' Opposition to Facebook's Motion for Summary Judgment (Dkt. 341)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			release of this information would cause Facebook harm by providing competitors with insight into Facebook's product and marketing strategies. Nadolenco Sealing Decl. ¶¶ 11-12.
37	Exhibit 38 to the Williams MSJ Opp. Decl. (FBBIPA_00038325)	Entire document	Exhibit 38 to the Williams MSJ Opp. Declaration contains communications with a government entity concerning its facial-recognition technology, which are maintained as confidential by both sides to the communication. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.

Facebook's Reply in Support of Its Motion for Summary Judgment (Dkt. 349)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
38	Facebook's Reply in Support of Its Motion for Summary Judgment	Pages 7:2-6; 7:13-17; 7:19-8:1; 10:11-11:1; 11:8-12; 11:14-21; 12:1-5; or portions thereof	The designated portions of Facebook's Reply in Support of Its Motion for Summary Judgment reference or discuss the information contained in the expert reports, exhibits, declarations, and confidential deposition testimony that

Facebook's Reply in Support of Its Motion for Summary Judgment (Dkt. 349)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

FACEBOOK'S MOTION TO EXCLUDE PORTIONS OF THE EXPERT REPORT, OPINIONS, AND TESTIMONY OF DR. ATIF HASHMI

Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi (Dkt. 302)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
39	Exhibit 1 to the Declaration of John Nadolenco in Support of Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi ("Nadolenco Hashmi Decl.") (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
40	Exhibit 2 to the Nadolenco Hashmi Decl. (excerpts from the February 23, 2018 Deposition of Dr. Atif Hashmi)	Entire document	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6).
41	Exhibit 3 to the Nadolenco Hashmi Decl. (excerpts from the October 26, 2017 Deposition Transcript of Omry Yadan)	Pages 84:11-25; 121:1-122:3; 122:11-25; 149:5-150:9; 150:17-21; 150:25-151:5; 156:1-25; 169:20-	*See* Exhibit 6 to the Nadolenco MSJ Declaration (Ref. No. 4).

Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi (Dkt. 302)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
		171:3; 171:5-12; 171:16-25; 172:4-25; 173:9-23; 184:2-186:11; 220:1-25; 221:3-7; 221:13-17; 221:19-23; 222:5-14; 223:12-224:8; 224:15-25; 228:11-229:25; 236:1-237:24; 238:2-24; 239:1-242:25; 307:1-308:8; 308:15-25; or portions thereof	
42	Exhibit 4 to the Nadolenco Hashmi Decl. (excerpts from the October 18, 2016 Deposition Transcript of Yaniv Taigman)	Pages 128:11-16; 130:12-25; 140:1-25; 159:1-164:25; 165:2-167:25; 171:14-173:25; 195:1-25; 217:2-25; 230:9-24; 238:2-3; 238:6-13; 238:15-239:25; 273:1-274:11; 283:2-284:25; or portions thereof	*See* Exhibit 5 to the Nadolenco MSJ Declaration (Ref. No. 3).
43	Exhibit 9 to the Nadolenco Hashmi Decl. (Expert Report of Matthew Turk, Ph. D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
44	Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi	Pages 1:6-12; 1:14-20; 2:18-26; 3:1-2; 3:10-13; 3:24-25; 4:1-5:3; 5:6-27; 6:1-17; 6:25-26; 8:5-22; 8:24-9:3; 9:12-15; 9:18-23; 9:25-10:2; 10:5-6; 10:14-11:1;	The designated portions of Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi reference or discuss the information contained in the discovery responses, expert reports, and confidential

Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi (Dkt. 302)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
		11:3-8; 11:11-14; 11:18-19; 11:21-28; 12:3-6; 12:22-27; 13:4-7; 13:11-17; 13:24-14:4; 14:8-22; 8:14-22; 14:25-15:1; 15:3-9; or portions thereof	deposition testimony of Hashmi, Yadan, and Taigman that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

Plaintiffs' Opposition to Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi (Dkt. 342)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
45	Plaintiffs' Opposition to Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi	Pages 2:4-5; 2:15-21; 2:26-28; 4:16-20; 5:23-6:25; 6:27-28; 7:1-24; 8:5-15; 8:24-28; 9:11-10:1; 10:3-12; 12:3-9; 12:12-17; 12:24-13:1; or portions thereof	The designated portions of Plaintiffs' Opposition to Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony of Hashmi, Turk, Yadan, and Dunn that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition

Plaintiffs' Opposition to Facebook's Motion to Exclude Portions of the Expert Report, Opinions, and Testimony of Dr. Atif Hashmi (Dkt. 342)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.
46	Exhibit 2 to the Declaration of Corban S. Rhodes in Opposition to Facebook's Motions to Exclude and/or Strike Opinions of Dr. Atif Hashmi and Jeffrey Dunn ("Rhodes Decl.") (excerpts of February 23, 2018 transcript of Deposition Transcript of Dr. Atif Hashmi)	Entire document	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6).
47	Exhibit 8 to the Rhodes Decl. (excerpts of transcript of February 28, 2018 Deposition Transcript of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 28 to the Williams MSJ Opp. Declaration (Ref. No. 29).
48	Exhibit 9 to the Rhodes Decl. (excerpts of transcript of October 26, 2017 Deposition Transcript of Omry Yadan)	Entire document	*See* Exhibit 6 to the Nadolenco MSJ Declaration (Ref. No. 4).
49	Exhibit 10 to the Rhodes Decl. (excerpts of transcript of February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Entire document	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9).

Facebook's Reply in Support of Its Motion to Exclude Hashmi (Dkt. 352)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
50	Exhibit 14 to the Supplemental Declaration of John Nadolenco in Support of Facebook's Opposition to Plaintiffs' Motion to Exclude Hashmi ("Supp.	Entire document	*See* Exhibit 4 to the Nadolenco MSJ Declaration (Ref. No. 2).

Facebook's Reply in Support of Its Motion to Exclude Hashmi (Dkt. 352)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Nadolenco Hashmi Decl.") (Expert Rebuttal Report of Matthew Turk, Ph.D.)		
51	Exhibit 16 to the Supp. Nadolenco Hashmi Decl. (excerpts of the February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Entire document	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6).
52	Facebook's Reply in Support of its Motion to Exclude	Pages 2:14-20; 3:17-22; 3:24-4:17; 4:23-5:2; 5:12-21; 9:2-3; 9:6-11; 9: 13-14; 9:17-18; 10:10-11; or portions thereof	The designated portions of Facebook's Reply in Support of its Motion to Exclude reference or discuss the information contained in the expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

FACEBOOK'S MOTION TO STRIKE AND/OR EXCLUDE THE EXPERT REPORT OF JEFFREY S. DUNN

Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn (Dkt. 305)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
53	Exhibit 1 to the Declaration of John Nadolenco in Support of Facebook's Motion to Strike and/or Exclude the Expert	Entire document	*See* Exhibit 7 to the Nadolenco MSJ Declaration (Ref. No. 5).

Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn (Dkt. 305)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Report of Jeffrey S. Dunn ("Nadolenco Dunn Declaration") (Expert Report of Jeffrey S. Dunn)		
54	Exhibit 2 to the Nadolenco Dunn Declaration (excerpts from the October 26, 2017 Deposition Transcript of Omry Yadan)	Pages 84:11-25; 121:1-122:3; 122:11-25; 149:5-150:9; 150:17-21; 150:25-151:5; 156:1-25; 169:20-171:3; 171:5-12; 171:16-25; 172:4-25; 173:9-23; 184:2-186:11; 186:23-25; 219:1-3; 219:10-21; 220:1-25; 221:3-7; 221:13-17; 221:19-23; 222:5-14; 223:12-224:25; 228:1-229:25; 236:1-238:24; 239:1-25; 241:1-242:25; 307:1-308:8; 308:15-25	*See* Exhibit 6 to the Nadolenco MSJ Declaration (Ref. No. 4).
55	Exhibit 3 to the Nadolenco Dunn Declaration (excerpts of transcript of October 18, 2016 Deposition of Transcript Yaniv Taigman)	Pages 128:11-16; 130:1-25; 140:1-25; 159:1-164:25; 165:2-167:25; 171:14-173:25; 194:14-195:25; 217:2-25; 230:9-24; 238:2-3; 238:6-13; 238:15-239:25; 273:1-274:11; 283:2-284:25; or portions thereof	*See* Exhibit 5 to the Nadolenco MSJ Declaration (Ref. No. 3).

Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn (Dkt. 305)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
56	Exhibit 6 to the Nadolenco Dunn Declaration (excerpts of transcript of February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Entire document	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6).
57	Exhibit 7 to the Nadolenco Dunn Declaration (Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
58	Exhibit 8 to the Nadolenco Dunn Declaration (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
59	Exhibit 9 to the Nadolenco Dunn Declaration (excerpts from the February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Entire document	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9).
60	Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn	Pages 2:9-19; 2:26-28; 3:3-22; 4:11-26; 5:1-2; 5:4-14; 5:16-27; 6:1-25; 8:4-5; 8:15-9:1; 9:24-27; 10:20-23; 10:26-11:2; 11:5-8; 11:11-16; 12:2-5; 12:9-15; 13:6-9; 13:11-19; 13:24-14:4; 14:11-15:2; or portions thereof	The designated portions of Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn reference or discuss the information contained in the expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

Plaintiffs' Opposition to Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn (Dkt. 343)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
61	Plaintiffs' Opposition to Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn	Pages 1:8-18; 1:20-25; 2:1-4; 2:12-14; 2:20-3:16; 3:18-24; 3:27-4:14; 4:16-5:7; 5:28-6:6; 6:8-13; 6:16-22; 7:2-6; 7:13-25; 8:1-6; 8:11-26; 9:20-23; 9:25-26; 10:2-10; 10:19-11:15; 11:18-24; 12:6-16; 12:18-13:13; 13:15-24; 13:27-28; 14:10-18; 14:21-28; 15:2-18; 15:24-28; or portions thereof	The designated portions of Plaintiffs' Opposition to Facebook's Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn reference or discuss the information contained in the expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.
62	Exhibit 2 to the Rhodes Decl. (excerpts from the February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Entire document	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6).
63	Exhibit 8 to the Rhodes Decl. (excerpts from the February 28, 2018 Deposition Transcript of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 28 to the Williams MSJ Opp. Declaration (Ref. No. 29).
64	Exhibit 9 to the Rhodes Decl. (excerpts from the October 26, 2017 Deposition Transcript of Omry Yadan)	Entire document	*See* Exhibit 6 to the Nadolenco MSJ Declaration (Ref. No. 4).
65	Exhibit 10 to the Rhodes Decl. (excerpts from the February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Entire document	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9).

Facebook's Reply in Support of Its Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn (Dkt. 354)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
66	Exhibit 11 to the Supplemental Declaration of John Nadolenco (excerpts from February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Entire document	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9).
67	Facebook's Reply in Support of Its Motion to Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn	Pages 1:6-8; 1:25-2:3; 3:11-13; 4:7-10; 5:3-7; 6:20; 6:26-7:1; 7:11-16; 7:21-24; 7:25-26; 8:6-14; 8:16-20; 9:7-11; 9:14-19; 10:1-3; 10:8-9; 10:15-21; or portions thereof	The designated portions of Facebook's Reply in Support of Its Motion to Motion to Strike and/or Exclude the Expert Report of Jeffrey S. Dunn reference or discuss the information contained in the expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
68	Plaintiffs' Notice of Motion and Motion for Partial Summary Judgment	Pages i:13-14; i:17-18; 2:17-20; 3:1; 3:13-14; 4:2-21; 5:1-2; 5:4-11; 8:8-	The designated portions of Plaintiffs' Notice of Motion and Motion for Partial Summary Judgment reference or discuss

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
		22; 9:1-25; 10:16-19; 10:21-11:20; 11:26-28; 12:15-21; 13:9-12; 13:18-14:24; 15:1-17; 15:19-20; 15:25-28; 16:10-12; 17:16-26; 18:1-8; or portions thereof	the information contained in the expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.
69	Exhibit 1 to the Declaration of Shawn Williams in Support of Plaintiffs' Motion for Partial Summary Judgment ("Williams MSJ Decl.") (FBBIPA_00009283)	Entire document	Exhibit 1 to the Williams MSJ Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
70	Exhibit 3 to the Williams MSJ Decl. (FBBIPA_00038236)	Entire document	Exhibit 3 to the Williams MSJ Declaration contains communications with a government entity concerning its facial-recognition technology, which are maintained as confidential by both sides to the communication. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
71	Exhibit 6 to the Williams MSJ Decl. (FBBIPA_00005371)	Entire document	Exhibit 6 to the Williams MSJ Declaration discusses how Facebook's proprietary facial-recognition technology works and the way in which Facebook's computer systems interact with and support Facebook's facial-recognition technology. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
72	Exhibit 8 to the Williams MSJ	Entire document	Exhibit 8 to the Williams MSJ

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Decl. (FBBIPA_00008884)		Decl. contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
73	Exhibit 9 to the Williams MSJ Decl. (February 28, 2018 Deposition Transcript of Matthew Turk)	Pages 131-32, 162, 178, 197, and 228 to the excerpts submitted by Facebook; and non-cited pages in their entirety	*See* Exhibit 28 to the Williams MSJ Opp. Declaration (Ref. No. 29). Exhibit 9 to the Williams MSJ Declaration includes a complete copy of Mr. Taigman's deposition transcript, of which 6 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 21.
74	Exhibit 10 to the Williams MSJ Decl. (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
75	Exhibit 11 to the Williams MSJ Decl. (Expert Report of Jeffrey S. Dunn)	Entire document	*See* Exhibit 7 to the Nadolenco MSJ Declaration (Ref. No. 5).
76	Exhibit 12 to the Williams MSJ Decl. (Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
77	Exhibit 14 to the Williams MSJ Decl. (FBBIPA_00011312)	Entire document	Exhibit 14 to the Williams MSJ Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
78	Exhibit 15 to the Williams MSJ Decl. (FBBIPA_00030855)	Entire document	Exhibit 15 to the Williams MSJ Declaration discusses confidential details about Facebook's strategic plan for the Tag Suggestions feature. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
79	Exhibit 19 to the Williams MSJ Decl. (FBBIPA_00008127)	Entire document	Exhibit 19 to the Williams MSJ Declaration references proprietary and confidential details about Facebook's image processing system. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			12.
80	Exhibit 20 to the Williams MSJ Decl. (FBBIPA_00036963)	Entire document	Exhibit 20 to the Williams MSJ Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
81	Exhibit 21 to the Williams MSJ Decl. (October 18, 2016 Deposition Transcript of Yaniv Taigman)	Pages 239:1-7; 239:9-25; 249:1; 249:2; 250:9-11; 250:14-15; 252:21-23; 281:2-25 to the excerpts submitted by Facebook; and non-cited pages in their entirety	*See* Exhibit 5 to the Nadolenco MSJ Declaration (Ref. No. 3). Exhibit 21 to the Williams MSJ Declaration includes a complete copy of Mr. Taigman's deposition transcript, of which 6 pages are cited in plaintiffs' brief. The non-cited pages have

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 18.
82	Exhibit 24 to the Williams MSJ Decl. (FBBIPA_00009318)	Entire document	Exhibit 24 to the Williams MSJ Declaration discusses confidential details about Facebook's strategic plan for the Tag Suggestions feature and include detailed statistics about the use of the Tag Suggestions that are not publicly known. . Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
83	Exhibit 25 to the Williams MSJ Decl. (FBBIPA_00030648)	Entire document	Exhibit 25 to the Williams MSJ Declaration contains confidential plans for potential future uses of facial-recognition technology that are not publicly known and have not been announced. Public release of this information would cause Facebook harm by

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			providing competitors with insight into how Facebook designs its computer systems and plans to implement its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
84	Exhibit 26 to the Williams MSJ Decl. (FBBIPA_00003483)	Entire document	Exhibit 26 to the Williams MSJ Declaration contains confidential plans for potential future uses of facial-recognition technology that are not publicly known and have not been announced. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and plans to implement its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
85	Exhibit 28 to the Williams MSJ Decl. (FBBIPA_00034037)	Entire document	Exhibit 28 to the Williams MSJ Declaration discusses confidential details about Facebook's strategic plan for the Tag Suggestions feature.. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			12.
86	Exhibit 30 to the Williams MSJ Decl. (FBBIPA_00009275)	Entire document	Exhibit 30 to the Williams MSJ Declaration contains information relating to the details of Facebook's facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Exhibit 30 also contains detailed related to Facebook's marketing strategies, including identification of competitors and the structure of revenue streams for an acquired company. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook develops, markets, and implements its proprietary facial-

Plaintiffs' Motion for Partial Summary Judgment (Dkt. 307)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.

Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment (Dkt. 337)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
87	Exhibit 1 to the Declaration of John Nadolenco in Support of Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment ("Nadolenco MSJ Opp. Decl.") (excerpts from the February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Entire document	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6).
88	Exhibit 2 to the Nadolenco MSJ Opp. Decl. (excerpts from the February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Entire document	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9).
89	Exhibit 3 to the Nadolenco MSJ Opp. Decl. (Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
90	Exhibit 4 to the Nadolenco MSJ Opp. Decl. (excerpts from the October 18, 2016 Deposition Transcript of Yaniv Taigman)	Pages 138:1-141:25; 149:1-153:25; 159:1-164:25; 165:2-167:25; 171:14-172:25; 237:2-12; 237:15-23; 239:1-25; 281:2-25; 366:3-25; 367:4-25; or portions thereof	*See* Exhibit 5 to the Nadolenco MSJ Declaration (Ref. No. 3).
91	Exhibit 6 to the Nadolenco MSJ Opp. Decl. (Expert Rebuttal	Entire document	*See* Exhibit 4 to the Nadolenco MSJ Declaration (Ref. No. 2).

Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment (Dkt. 337)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Report of Matthew Turk, Ph.D.)		
92	Exhibit 7 to the Nadolenco MSJ Opp. Decl. (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
93	Exhibit 8 to the Nadolenco MSJ Opp. Decl. (January 25, 2018 Declaration of Omry Yadan)	Pages 1:14-3:3; or portions thereof	*See* Exhibit 10 to the Nadolenco MSJ Declaration (Ref. No. 8).
94	Exhibit 9 to the Nadolenco MSJ Opp. Decl. (FBBIPA_00005330)	Entire document	Exhibit 9 to the Nadolenco MSJ Opp. contains confidential details regarding the nature of the templates associated with Facebook's facial-recognition technology. Public release of this information would cause Facebook harm by providing competitors—particularly those who also use facial recognition—with insight into Facebook's proprietary facial-recognition technology. 2d Yadan Decl. ¶¶ 13; Nadolenco Sealing Decl. ¶¶ 11-12.
95	Exhibit 16 to the Nadolenco MSJ Opp. Decl. (FBBIPA_00021843)	Entire document	Exhibit 16 to the Nadolenco MSJ Opp. Declaration discusses confidential details about Facebook's strategic plan for the Tag Suggestions feature, including confidential statistics regarding use of the feature. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-

Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment (Dkt. 337)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			12.
96	Exhibit 17 to the Nadolenco MSJ Opp. Decl. (excerpts from the February 28, 2018 Deposition Transcript of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 28 to the Williams MSJ Opp. Declaration (Ref. No. 29).
97	Exhibit 19 to the Nadolenco MSJ Opp. Decl. (FBBIPA_00005371)	Entire document	Exhibit 19 to the Nadolenco MSJ Opp. Declaration discusses how Facebook's proprietary facial-recognition technology works and the way in which Facebook's computer systems interact with and support Facebook's facial-recognition technology. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
98	Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment	Pages i:15-20; 2:4-6; 3:3-13; 3:24-25; 4:25-5:7; 5:9-22; 5:25-28; 6:1-5; 6:7-21; 6:23-9:12; 10:9-10; 11:4-8; 11:13-25; 12:6-12; 12:14-17; 13:4-11; 13:23-28; 14:22-23; 15:12-13; 15:19-17:21; 17:24-18:5; 18:17-19:2; 19:8-10; 19:14-21; 19:24-28; 20:4-13;	The designated portions of Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and

Facebook's Opposition to Plaintiffs' Motion for Partial Summary Judgment (Dkt. 337)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
		or portions thereof	its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
99	Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment	Pages 1:17-21; 1:23; 2:1; 2:23-25; 3:24-26; 4:1; 4:7-9; 4:11-17; 4:21-26; 5:1-8; 5:11-19; 5:23-25; 6:22-23; 7:1-3; 7:10-11; 7:14-17; 7:19-27; 8:5-7; 8:20-21; 8:27-28; 9:12-14; 9:19-23; 10:5-6; 10:18-22; 11:3-6; 11:8-9; 13:8; 15:4-8; or portions thereof	The designated portions of Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.
100	Exhibit 32 to Williams MSJ Reply Decl. (FBBIPA_00001460)	Entire document	Exhibit 32 to Williams MSJ Reply Declaration contains an internal Facebook discussion regarding confidential details about Facebook's strategic plan for the Tag Suggestions feature. Public release of this information would cause Facebook harm by providing competitors with

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			insight into how Facebook designs its computer systems and its proprietary facial-recognition technology as well as its marketing and product launch strategies. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
101	Exhibit 34 to Williams MSJ Reply Decl. (FBBIPA_00037792)	Entire document	Exhibit 34 to Williams MSJ Reply Declaration contains communications with a government entity concerning its facial-recognition technology, which are maintained as confidential by both sides to the communication. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
102	Exhibit 35 to Williams MSJ Reply Decl. (February 28, 2018 Deposition Transcript of Omry Yadan)	Pages 122-23, and 127-29 to the excerpts submitted by Facebook; and non-cited pages in their entirety	Exhibit 35 to Williams MSJ Reply Declaration contains testimony from the February 28, 2018 Deposition of Omry Yadan. Mr. Yadan testified in detail about Facebook's network architecture, how Facebook's proprietary facial-recognition technology works, and the way in which Facebook's computer systems interact with and support Facebook's facial recognition technology. These portions of

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Mr. Yadan's deposition have been designated by Facebook as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 16-17. Exhibit 35 to Williams MSJ Reply Declaration includes a complete copy of Mr. Yadan's deposition transcript, of which 5 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 18.
103	Exhibit 36 to Williams MSJ Reply Decl. (FBBIPA_00005374)	Entire document	Exhibit 36 to Williams MSJ Reply Declaration contains information relating to the details of Facebook's facial recognition

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. The document also contains confidential details about Facebook's strategic plan for the Tag Suggestions feature. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
104	Exhibit 37 to Williams MSJ Reply Decl. (October 10, 2017 Deposition Transcript of Dan Barak)	Non-cited pages in their entirety	Exhibit 37 to Williams MSJ Reply Declaration contain testimony from the October 10, 2017 Deposition of Dan Barak. Mr. Barak testified in detail about Facebook's network architecture, how Facebook's proprietary facial-recognition technology works, the way in which Facebook's computer systems interact with and support

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook's facial recognition technology, and Facebook's strategic plan for the Tag Suggestions feature. These portions of Mr. Barak's deposition have been designated by Facebook as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 16-17. The Williams MSJ Reply Declaration includes a complete copy of Mr. Barak's deposition transcript, of which 2 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 18. The cited pages,

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			which are included in the excerpt submitted by Facebook, do not discuss either the strategic plan for or the technical details of Facebook's technologies and therefore need not be sealed.
105	Exhibit 42 to Williams MSJ Reply Decl. (FBBIPA_00006889)	Entire document	Exhibit 42 to Williams MSJ Reply Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
106	Exhibit 43 to Williams MSJ Reply Decl. (FBBIPA_00037793)	Entire document	Exhibit 43 to Williams MSJ Reply Declaration discusses confidential details about

Plaintiffs' Reply in Support of Their Motion for Partial Summary Judgment (Dkt. 359)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			Facebook's strategic plan, including its marketing and communications strategies, for the Tag Suggestions feature. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
107	Exhibit 47 to Williams MSJ Reply Decl. (FBBIPA_00008127)	Entire document	Exhibit 47 to Williams MSJ Reply Declaration references proprietary and confidential details about Facebook's image processing system. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.

PLAINTIFFS' MOTION TO EXCLUDE THE TESTIMONY OF DEFENDANT'S PROPOSED EXPERT MATTHEW TURK, PH.D

Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 301)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
108	Plaintiffs' Notice of Motion and	Pages i:6-7; i:9-10;	The designated portions of

Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 301)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D.	i:13-14; 1:22-23; 1:26-2:10; 2:12; 2:14-17; 2:20-22; 2:27-28; 3:1-3; 4:20-21; 5:4-27; 6:15-20; 6:22-24; 6:27-28; 7:1-3; 7:8-8:10; 8:21-24; 8:27-28; 9:1-24; 9:26-28; 10:3-11; 10:16-21; 10:24-11:6; 11:9-14; 11:17-12:16; 12:23-24; 12:27-13:4; 13:8-12; 13:15-19; 13:26-28; or potions thereof	Plaintiffs' Notice of Motion and Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D. reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25
109	Exhibit 1 to the Williams Turk Decl. (FBBIPA_00005371)	Entire document	Exhibit 1 to the Williams Turk Declaration discusses how Facebook's proprietary facial-recognition technology works and the way in which Facebook's computer systems interact with and support Facebook's facial-recognition technology. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.

Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 301)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
110	Exhibit 2 to the Williams Turk Decl. (FBBIPA_00036963)	Entire document	*See* Exhibit 20 to the Williams MSJ Declaration (Ref. No. 80).
111	Exhibit 3 to the Williams Turk Decl. (Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
112	Exhibit 4 to the Williams Turk Decl. (February 28, 2018 Deposition of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 28 to the Williams MSJ Opp. Declaration (Ref. No. 29).
113	Exhibit 7 to the Williams Turk Decl. (FBBIPA_00009283)	Entire document	Exhibit 7 to the Williams Turk Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.

Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 301)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
114	Exhibit 9 to the Williams Turk Decl. (Notes taken by Matthew Turk, Ph.D. titled "Phone meeting w/Yaniv," dated December 20, 2017)	Entire document	Exhibit 9 to the Williams Turk Declaration contains information relating to the details of Facebook's network architecture and its facial recognition technology, which Facebook has designated as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Further, public disclosure of information related to Facebook's network architecture and how its architecture is used in connection with facial recognition could put Facebook and the people who use Facebook at increased risk of cyber attack by malicious actors. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶ 22.
115	Exhibit 11 to the Williams Turk Decl. (FBBIPA_00008127)	Entire document	Exhibit 11 to the Williams Turk Declaration references proprietary and confidential details about Facebook's image processing system. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook

Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 301)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶¶ 34-35; Nadolenco Sealing Decl. ¶¶ 11-12.

Facebook's Opposition to Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D. (Dkt. 335)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
116	Exhibit 1 to the Declaration of John Nadolenco in Support of Facebook's Opposition to Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D. ("Nadolenco Turk Opp. Decl.") (Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 3 to the Nadolenco MSJ Declaration (Ref. No. 1).
117	Exhibit 2 to the Nadolenco Turk Opp. Decl. (Rebuttal Expert Report of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 4 to the Nadolenco MSJ Declaration (Ref. No. 2).
118	Exhibit 3 to the Nadolenco Turk Opp. Decl. (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
119	Exhibit 6 to the Nadolenco Turk Opp. Decl. (excerpts from the February 28, 2018 Deposition Transcript of Matthew Turk, Ph.D.)	Entire document	*See* Exhibit 28 to the Williams MSJ Opp. Declaration (Ref. No. 29).
120	Facebook's Opposition to Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk,	Pages i:9-10; i:12-18; 1:4-9; 1:11-13; 1:15-16; 1:22-2:5; 2:11-17; 2:20-25;	The designated portions of Facebook's Opposition to Plaintiffs' Motion to Exclude the Testimony of Defendant's

Facebook's Opposition to Plaintiffs' Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D. (Dkt. 335)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Ph.D	2:27-4:2; 4:4-5:2; 5:4-19; 5:22-6:9; 6:21-23; 7-1-2; 7:5-8; 7:10-12; 7:14-20; 7:25-8:11; 8:14-24; 8:25-27; 9:5-9; 9:15-16; 9:18-20; 10:20-22; 11:1-9; 11:12-17; 11:25-28; 12:7-12; 12:19-20; 12:22-24; 13:1-3; 13:6-9; 13:10-11; 13:14-22; 14:2-10; 14:12-15; 14:19-15:3; 15:5-10; 15:13-21	Proposed Expert Matthew Turk, Ph.D reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.

Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 357)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
121	Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D	Pages i:11-13; 1:16-17; 1:22-24; 2:1-2; 2:15-20; 3:13-17; 3:19-21; 4:3-17; 5:15-19; 5:22-24; 6:1-8; 6:23-24; 6:27-28; 7:3-14; 7:18-20; 7:23-25; 7:27-28; 8:12; 8:14-9:12; 9:20-22; 10:1-3; 10:10-16; 10:18-20; or portions thereof	The designated portions of Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D reference or discuss the information contained in the discovery responses, expert reports, and confidential deposition testimony that Facebook seeks to seal. Public release of this information would cause Facebook harm by

Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 357)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 24-25.
122	Exhibit 12 to the Declaration of Shawn Williams in Support of Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D ("Williams Turk Reply Decl.") (Expert Report of Jeffrey S. Dunn)	Entire document	*See* Exhibit 7 to the Nadolenco MSJ Declaration (Ref. No. 5).
123	Exhibit 13 to the Williams Turk Reply Decl. (Expert Report of Dr. Atif Hashmi)	Entire document	*See* Exhibit 9 to the Nadolenco MSJ Declaration (Ref. No. 7).
124	Exhibit 14 to the Williams Turk Reply Decl. (February 23, 2018 Deposition Transcript of Dr. Atif Hashmi)	Page 109 to the excerpts submitted by Facebook; and non-cited pages in their entirety	*See* Exhibit 8 to the Nadolenco MSJ Declaration (Ref. No. 6). Exhibit 14 to the Williams Turk Reply Declaration includes a complete copy of Mr. Hashmi's deposition transcript, of which 1 page is cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's

Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 357)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 21.
125	Exhibit 15 to the Williams Turk Reply Decl. (February 26, 2018 Deposition Transcript of Jeffrey S. Dunn)	Pages 76-77 and 78 to the excerpts submitted by Facebook; and non-cited pages in their entirety	*See* Exhibit 11 to the Nadolenco MSJ Declaration (Ref. No. 9). Exhibit 15 to the Williams Turk Reply Declaration includes a complete copy of Mr. Dunn's deposition transcript, of which 3 pages are cited in plaintiffs' brief. The non-cited pages have no bearing on the issues to be decided on this motion and should be sealed for this additional reason. *See CreAgri, Inc.*, 2014 WL 27028, at *2 (granting motion to seal portion of document that would "not further the public's understanding of the reasoning underlying the Court's decisions"). Nadolenco Sealing Decl. ¶ 21.
126	Exhibit 16 to the Williams Turk Reply Decl. (FBBIPA_00038267)	Entire document	Exhibit 16 to the Williams Turk Reply Declaration contains communications with a government entity concerning its facial-recognition technology, which are maintained as confidential by both sides to the communication. Public release of this information would cause Facebook harm by providing competitors with insight into

Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 357)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
			how Facebook implements its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
127	Exhibit 17 to the Williams Turk Reply Decl. (FBBIPA_00038258)	Entire document	Exhibit 17 to the Williams Turk Reply Declaration discusses confidential details about Facebook's strategic plan for the Tag Suggestions feature. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.
128	Exhibit 18 to the Williams Turk Reply Decl. (FBBIPA_00038185)	Entire document	Exhibit 18 to the Williams Turk Reply Declaration contains confidential details regarding the nature of the templates associated with Facebook's facial-recognition technology. Public release of this information would cause Facebook harm by providing competitors—particularly those who also use facial recognition—with insight into Facebook's proprietary facial-recognition technology. 2d Yadan Decl. ¶¶ 13-14; Nadolenco Sealing Decl. ¶¶ 11-12.
129	Exhibit 19 to the Williams Turk	Entire document	Exhibit 19 to the Williams Turk

Plaintiffs' Reply in Support of Their Motion to Exclude the Testimony of Defendant's Proposed Expert Matthew Turk, Ph.D (Dkt. 357)			
No.	Document	Portions to be Sealed	Compelling Reasons for Sealing
	Reply Decl. (FBBIPA_00008876)		Reply Declaration contains confidential information and discussions relating to Facebook's product and marketing strategies. Public release of this information would cause Facebook harm by providing competitors with insight into Facebook's product and marketing strategies. Nadolenco Sealing Decl. ¶¶ 11-12.
130	Exhibit 20 to the Williams Turk Reply Decl. (FBBIPA_00036805)	Entire document	Exhibit 20 to the Williams Turk Reply Declaration discusses confidential details of an internal product launch strategy. Public release of this information would cause Facebook harm by providing competitors with insight into how Facebook designs its computer systems and its proprietary facial-recognition technology. Yadan Decl. ¶ 34; Nadolenco Sealing Decl. ¶¶ 11-12.

Because sealing is not required for any portion of the following documents, Facebook shall file unredacted versions of those documents specified below within 7 days of this order:

- Exhibits 13-15 to the declaration of John Nadolenco in support of Facebook's motion for summary judgment;
- Exhibit 21 to the declaration of John Nadolenco in support of Facebook's opposition to plaintiffs' motion for partial summary judgment;

- Exhibits 4-5 to the declaration of John Nadolenco in support of Facebook's opposition to plaintiffs' motion to exclude the testimony of defendant's proposed expert Dr. Matthew Turk;

Because sealing is not required for any portion of the following documents, plaintiffs shall file unredacted versions of those documents specified below within 7 days of this order:

- Exhibit 18 to the declaration of Shawn Williams in support of plaintiffs' opposition to Facebook's motion for summary judgment;
- The declaration of Shawn Williams in support of plaintiffs' motion for partial summary judgment;
- Exhibits 2, 5, and 7 to the declaration of Shawn Williams in support of plaintiffs' motion for partial summary judgment;
- Exhibit 31 to the declaration of Shawn Williams in support of plaintiffs' reply in support of their motion for partial summary judgment; and
- The declaration of Shawn Williams in Support of plaintiffs' motion to exclude the testimony of defendant's proposed expert Dr. Matthew Turk;
- Exhibit 8 to the declaration of Shawn Williams in support of plaintiffs' motion to exclude the testimony of defendant's proposed expert Matthew Turk, Ph.D.

IT IS SO ORDERED.

DATED: _____

_____
Honorable James Donato
United States District Judge